

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by Level 3  
Communications, LLC for  
arbitration of certain terms and  
conditions of a proposed  
agreement with BellSouth  
Telecommunications, Inc.

DOCKET NO. 000907-TP  
ORDER NO. PSC-01-1486-FOF-TP  
ISSUED: July 18, 2001

The following Commissioners participated in the disposition of  
this matter:

E. LEON JACOBS, JR., Chairman  
J. TERRY DEASON  
LILA A. JABER  
BRAULIO L. BAEZ  
MICHAEL A. PALECKI

ORDER APPROVING ARBITRATED INTERCONNECTION AGREEMENT

BY THE COMMISSION:

Pursuant to Section 252 of the Telecommunications Act of 1996, Level 3 Communications, LLC (Level 3) petitioned for arbitration with BellSouth Telecommunications, Inc. (BellSouth) on July 21, 2000. On August 14, 2000, BellSouth filed its Response to Level 3's petition for arbitration. By Order No. PSC-00-1646-PCO-TP, Order Establishing Procedure, issued September 15, 2000, the eight issues identified in the petition and response were scheduled for an administrative hearing. Subsequently, Issues 4, 5, and 8 were resolved by parties. On December 6, 2000, an administrative hearing was held for the remaining issues.

On December 18, 2000, Level 3, with the concurrence of BellSouth, filed a joint motion requesting that the filing date for briefs be extended until January 10, 2001. By Order No. PSC-00-2469-PCO-TP, issued December 21, 2000, the joint motion was granted. Parties filed briefs on January 10, 2001.

On March 27, 2001, we issued Order No. PSC-01-0806-FOF-TP, resolving the remaining disputed issues set forth in this arbitration. Pursuant to this Order, the parties were required to

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file their interconnection agreement within 30 days of the issuance of that Order. On April 26, 2001, the parties filed a Joint Motion for Extension of Time which requested until May 3, 2001, to file the interconnection agreement required by Order No. PSC-01-0806-FOF-TP. In this motion, the parties stated that they had entered a settlement agreement that resolved, on a regional basis, all of the issues presented in this docket. Further, the parties stated that additional time was needed to negotiate the terms of their final interconnection agreement. On May 2, 2001, the final interconnection agreement was filed by the parties.

Upon review, we believe that the interconnection agreement meets the standards set forth in Section 252(e) of the Telecommunications Act of 1996. We note that pursuant to the parties' settlement agreement, the final interconnection agreement has slightly different terms than those set forth in Order No. PSC-01-0806-FOF-TP. Nevertheless, the negotiated terms appear to comply with the Act and we hereby approve the interconnection agreement. Further, parties' Joint Motion for Extension of Time is hereby granted.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the interconnection agreement submitted by Level 3 Communications, LLC and BellSouth Telecommunications, Inc. is incorporated by reference into this Order, and hereby approved. It is further

ORDERED that the Joint Motion for Extension of Time filed by BellSouth Telecommunications, Inc. and Level 3 Communications, LLC is hereby granted. It is further

ORDERED that this docket shall be closed.

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By ORDER of the Florida Public Service Commission this 18th  
day of July, 2001.

BLANCA S. BAYÓ, Director  
Division of the Commission Clerk and  
Administrative Services

By: Kay Flynn  
Kay Flynn, Chief  
Bureau of Records and Hearing  
Services

( S E A L )

FRB

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of

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the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review in Federal district court pursuant to the Federal Telecommunications Act of 1996, 47 U.S.C. § 252(e)(6).